

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MONTERAY BAY MILITARY  
HOUSING LLC, *et al.*,

Plaintiffs,

- against -

AMBAC ASSURANCE CORP, *et al.*,

Defendants.

No. 19 Civ. 9193 (PGG)

**SECOND AMENDMENT TO STIPULATED PROTECTIVE ORDER FOR STANDARD  
LITIGATION**

WHEREAS, the parties to this litigation entered, and the Court approved, a Stipulated Protective Order for Standard Litigation on April 12, 2018, *see* Dkt. No. 135;

WHEREAS, the parties amended that protective order, and the Court approved that amendment, by entering a First Amendment to the Stipulated Protective Order for Standard Litigation on December 2, 2021, *see* Dkt. No. 375 (together with the original Stipulated Protective Order for Standard Litigation, the “Protective Order”);

WHEREAS, the United States Department of the Army (the “Army”), the United States Department of the Air Force (the “Air Force”), and Jones Lang LaSalle Americas Inc. (“JLL”)—a contractor for the Army and the Air Force—are in receipt of several subpoenas and document requests issued by parties to this litigation seeking documents owned or controlled by the Army or the Air Force and reasonably anticipate that they may receive additional requests in the future (the “Armed Forces Requests”);

WHEREAS, the Protective Order affords additional protections to “Parties” (as defined in the Protective Order) seeking to enforce the Protective Order compared to the protections afforded

to “Non-Parties” (as defined in the Protective Order), *see, e.g.*, Dkt. No. 135 ¶ 12.2 (providing “[a]ny Party” the right to “seek leave to reopen the case to enforce the provisions of” the Protective Order, but not Non-Parties);

WHEREAS, the Army and the Air Force seek to ensure that they are afforded the same rights to enforce the confidentiality designations made in documents produced in response to the Armed Forces Requests as would be afforded to a Party as defined in the Protective Order;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, the Army, and the Air Force as follows:

1. The Army and the Air Force shall have the same rights to enforce the terms of the Protective Order as are afforded to Parties, as that term is defined in paragraph 2.11 of the Protective Order, with respect to documents produced by JLL, the Army, or the Air Force in response to the Armed Forces Requests, including any right to seek judicial enforcement of the Protective Order.

Dated: New York, New York  
March 1, 2022

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/ Zachary Bannon  
ZACHARY BANNON  
86 Chambers Street, 3rd Floor  
New York, NY 10007  
Tel.: (212) 637-2728  
Fax: (212) 637-2717  
Email: Zachary.Bannon@usdoj.gov  
*Counsel for the Army and Air Force*

By /s/ Scott S. Balber  
Scott S. Balber  
Scott.Balber@hsf.com  
John J. O'Donnell  
John.ODonnell@hsf.com  
HERBERT SMITH FREEHILLS NEW  
YORK LLP  
450 Lexington Avenue  
New York, New York 10017  
Tel: (917) 542-7600  
Fax: (917) 542-7601

*Attorneys for Defendants Jefferies  
Mortgage Finance, Inc., Jefferies &  
Company, Inc., Jefferies LLC, and Jefferies  
Group LLC*

By /s/ Amer S. Ahmed  
Reed Brodsky  
rbrodsky@gibsondunn.com  
Anne Champion  
achampion@gibsondunn.com  
Amer S. Ahmed  
aahmed@gibsondunn.com  
GIBSON, DUNN & CRUTCHER LLP  
200 Park Avenue  
New York, NY 10166-0193  
Tel.: 212.351.4000  
Fax: 212.351.4035

*Attorneys for Defendant Dan Ray*

By /s/ Rachel E. Epstein  
Michael B. Carlinsky  
michaelcarlinsky@quinnemanuel.com  
Rachel E. Epstein  
rachelepstein@quinnemanuel.com  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
51 Madison Avenue, 22nd Floor,  
New York, New York 10010  
Tel.: (212) 849-7000  
Fax: (212) 849-7100

Steven G. Madison (pro hac vice)  
stevemadison@quinnemanuel.com  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
865 S. Figueroa St., 10th Floor  
Los Angeles, California 90017  
Tel.: (213) 443-3000  
Fax: (213) 443-3100

*Attorneys for Defendant Ambac  
Assurance Corporation*

By /s/ Brian L. Muldrew  
David L. Goldberg  
david.goldberg@katten.com  
Brian L. Muldrew  
brian.muldrew@katten.com  
KATTEN MUCHIN ROSENMAN  
LLP  
575 Madison Avenue  
New York, New York 10022-2585  
Tel.: (212) 940-8800  
Fax: (212) 940-8776

*Attorneys for Defendant Chetan  
Marfatia*

By: /s/ Lauren Tabaksblat

Michael J. Bowe  
Lauren Tabaksblat

Seth D. Fiur  
BROWN RUDNICK LLP  
7 Times Square  
New York, New York 10036  
Telephone: 212.209-4800  
Facsimile: 212 209-4801  
mbowe@brownrudnick.com  
ltabaksblat@brownrudnick.com  
sfiur@brownrudnick.com

*Counsel for Plaintiffs*

SO ORDERED:

Dated: New York, New York  
March 2, 2022

  
SARAH L. CAVE  
United States Magistrate Judge